

IN RE:
EDWARD RIVERA TRINIDAD
NAOMI C MOLINA MARTINEZ

DEBTOR (S)

CASE NO. 13-00444-BKT

CHAPTER 13

TRUSTEE'S MOTION TO DISMISS

TO THE HONORABLE COURT:

NOW COMES José R. Carrión, Chapter 13 Trustee, through the undersigned attorney, and very respectfully alleges and prays:

1. Failure to cooperate with the trustee 11 U.S.C. §521(3): Debtor(s) has/have failed to comply with her/his/their duties pursuant to 11 U.S.C. § 521. Debtor(s) has/have failed to provide documents and/or information requested at the meeting of creditors, omission that constitutes CAUSE for the dismissal of the case pursuant to 11 U.S.C. §1307(c)(9) and (10).
2. Failure to resolve or act upon issues identified at the meeting of creditors causing an unreasonable delay in the bankruptcy proceedings prejudicial to creditors, which constitute CAUSE for the dismissal of the case pursuant to 11 U.S.C. §1307(c)(1).

WHEREFORE the Trustee respectfully prays that this motion be granted and that an order dismissing this case be entered for cause pursuant to 11 U.S.C. §1307 (c) for the reasons herein set forth.

30 DAYS NOTICE: Pursuant to General Order No. 05-09, the Debtor(s), his/her/their counsel of record, and all those parties in interest who have filed a notice of appearance in this case, are hereby notified that unless a party in interest files an objection hereto within 30 days from the date of this notice, the case may be dismissed or converted without the need of further notice or hearing.

CERTIFICATE OF SERVICE: The Chapter 13 Trustee herewith certified that a copy of this motion has been served on this same date, to their respective address of record to: Debtor(s), to their counsel and to all those parties in interest who have filed a notice of appearance by First Class Mail if not an ECFS register user.

In San Juan, Puerto Rico this Friday, May 24, 2013.

/s/ Jose R. Carrion

JOSE R. CARRION
CHAPTER 13 TRUSTEE
P.O. Box 9023884,
Old San Juan Station,
San Juan, P.R. 00902-3884
Tel (787) 977-3535
FAX (787) 977-3550

The undersigned hereby certifies that a true copy of the foregoing document was mailed by first class mail to the parties listed below:

JOSE R. CARRION PO BOX 9023884, OLD SAN JUAN STATION SAN JUAN, PR 00902	MARIA DE LOS ANGELES GONZALEZ, ESQ. US POST OFFICE & COURTHOUSE 300 RECINTO SUR ST., SUITE 109 OLD SAN JUAN, PR 00901
---	--

JUAN O CALDERON LITHGOW* PO BOX 1710 VEGA BAJA, PR 00694-1710	DEPARTMENT OF TREASURY PO BOX 9024140 SAN JUAN, PR 00902
---	--

UNEMPLOYMENT INSURANCE PUERTO RICO DEPT OF LABOR 12 FLOOR 505 MUÑOZ RIVERA AVE.	EDWARD RIVERA TRINIDAD ALTURAS DE VEGA BAJA G33 CALLE A VEGA BAJA, PR 00693
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BANCO POPULAR PO BOX 71375 SAN JUAN, PR 00936-7077	BANCO POPULAR DE PUERTO RICO PO BOX 366818 SAN JUAN, PR 00936-6818
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BANK OF AMERICA PO BOX 15026 WILMINGTON, DE 19850	BP-CRLINE GPO BOX 2708 SAN JUAN, PR 00936
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CARIBBEAN UNIVERSITY PO BOX 493 BAYAMON, PR 00960-0493	CINGULAR PO BOX 192830 SAN JUAN, PR 00919-2830
--	--

CITIBANK USA ATTN.: CENTRALIZED BANKRUPTCY PO BOX 20363 KANSAS CITY, MO 64195	COOP A/C DE MANATI C/O MIREYA BALTAZAR SUAZO ESQ PO BOX 2102 BARCELONETA, PR 00617
--	---

COOP A/C MANATI PO BOX 562 MANATI, PR 00674	DORAL BANK PO BOX 70308 SAN JUAN, PR 00936-8308
---	---

DORAL FINANCIAL CORP 1451 F D ROOSEVELT AVE SAN JUAN, PR 00920	FIA CARD SERVICES PO BOX 15102 WILMINGTON, DE 19886-5102
--	--

FIA CARD SERVICES, NA 4161 PIEDMONT PARKWAY NC4 105 03 14 GREENSBORO, NC 27410	FIRST BANK BANKRUPTCY DIVISION PO BOX 9146 SAN JUAN, PR 00908-0146
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FIRST FEDERAL SAVING PRISCILLA REYES SAN JUAN, PR 00908	INTERNAL REVENUE SERVICES PO BOX 7317 PHILADELPHIA, PA 19101-7317
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MAZA AND ASSOCIATES

PO BOX 364028

SAN JUAN, PR 00936-4028

PALLOS TRUCKING

PO BOX 835

VEGA ALTA, PR 00692

PR ACQUISITIONS LLC

PO BOX 194499

SAN JUAN PR 00919-4499

, 00919-4499

PR ACQUISITIONS LLC

PO BOX 194499

SAN JUAN, PR 00919-4499

RELIABLE FINANCIAL SERVICES

PO BOX 21382

SAN JUAN, PR 00928

RELIABLE FINANCIAL SERVICES

C/O CARLOS E PEREZ PASTRANA

PO BOX 21382

SAN JUAN, PR 00928-1382

THE NEW YORK FOUNDLING

590 AVENUE OF THE AMERICAS

NEW YORK, NY 10011

DATED: May 24, 2013

amanzano

OFFICE OF THE CHAPTER 13 TRUSTEE

UNITED STATES BANKRUPTCY COURT
DISTRICT OF PUERTO RICO

IN RE:
EDWARD RIVERA TRINIDAD
NAOMI C MOLINA MARTINEZ

DEBTOR (S)

CASE NO. 13-00444-BKT

CHAPTER 13

AFFIDAVIT FOR DEFAULT JUDGEMENT
PURSUANT TO SECTION 201(b)(4)
OF THE SERVICEMEMBERS CIVIL RELIEF ACT OF 2003

I , Andy Manzano , clerk for the Chapter 13 & 12 Trustee's Office, declare under penalty of perjury, the following:

That according to the enclosed certification, provided by the Department of Defense Manpower Data Center (DMDC), the Debtor(s) is (are) not in active duty or under call to active duty as a member(s) of the Army, Navy or Air Forces of the United States of America; the National Guard; the Public Health Service or the National Oceanic and Atmospheric Administration.

To certify the above statement I sign this affidavit,

In San Juan, Puerto Rico, May 24, 2013.





**Status Report
Pursuant to Servicemembers Civil Relief Act**

Last Name: RIVERA TRINIDAD

First Name: EDWARD

Middle Name:

Active Duty Status As Of: May-24-2013

On Active Duty On Active Duty Status Date			
Active Duty Start Date	Active Duty End Date	Status	Service Component
NA	NA	No	NA
This response reflects the individuals' active duty status based on the Active Duty Status Date			

Left Active Duty Within 367 Days of Active Duty Status Date			
Active Duty Start Date	Active Duty End Date	Status	Service Component
NA	NA	No	NA
This response reflects where the individual left active duty status within 367 days preceding the Active Duty Status Date			

The Member or His/Her Unit Was Notified of a Future Call-Up to Active Duty on Active Duty Status Date			
Order Notification Start Date	Order Notification End Date	Status	Service Component
NA	NA	No	NA
This response reflects whether the individual or his/her unit has received early notification to report for active duty			

Upon searching the data banks of the Department of Defense Manpower Data Center, based on the information that you provided, the above is the status of the individual on the active duty status date as to all branches of the Uniformed Services (Army, Navy, Marine Corps, Air Force, NOAA, Public Health, and Coast Guard). This status includes information on a Servicemember or his/her unit receiving notification of future orders to report for Active Duty. **HOWEVER, WITHOUT A SOCIAL SECURITY NUMBER, THE DEPARTMENT OF DEFENSE MANPOWER DATA CENTER CANNOT AUTHORITATIVELY ASSERT THAT THIS IS THE SAME INDIVIDUAL THAT YOUR QUERY REFERS TO. NAME AND DATE OF BIRTH ALONE DO NOT UNIQUELY IDENTIFY AN INDIVIDUAL.**

Mary M. Snavely-Dixon

Mary M. Snavely-Dixon, Director
 Department of Defense - Manpower Data Center
 4800 Mark Center Drive, Suite 04E25
 Arlington, VA 22350

The Defense Manpower Data Center (DMDC) is an organization of the Department of Defense (DoD) that maintains the Defense Enrollment and Eligibility Reporting System (DEERS) database which is the official source of data on eligibility for military medical care and other eligibility systems.

The DoD strongly supports the enforcement of the Servicemembers Civil Relief Act (50 USC App. § 501 et seq, as amended) (SCRA) (formerly known as the Soldiers' and Sailors' Civil Relief Act of 1940). DMDC has issued hundreds of thousands of "does not possess any information indicating that the individual is currently on active duty" responses, and has experienced only a small error rate. In the event the individual referenced above, or any family member, friend, or representative asserts in any manner that the individual was on active duty for the active duty status date, or is otherwise entitled to the protections of the SCRA, you are strongly encouraged to obtain further verification of the person's status by contacting that person's Service via the "defenselink.mil" URL: <http://www.defenselink.mil/faq/pis/PC09SLDR.html>. If you have evidence the person was on active duty for the active duty status date and you fail to obtain this additional Service verification, punitive provisions of the SCRA may be invoked against you. See 50 USC App. § 521(c).

This response reflects the following information: (1) The individual's Active Duty status on the Active Duty Status Date (2) Whether the individual left Active Duty status within 367 days preceding the Active Duty Status Date (3) Whether the individual or his/her unit received early notification to report for active duty on the Active Duty Status Date.

More information on "Active Duty Status"

Active duty status as reported in this certificate is defined in accordance with 10 USC § 101(d) (1). Prior to 2010 only some of the active duty periods less than 30 consecutive days in length were available. In the case of a member of the National Guard, this includes service under a call to active service authorized by the President or the Secretary of Defense under 32 USC § 502(f) for purposes of responding to a national emergency declared by the President and supported by Federal funds. All Active Guard Reserve (AGR) members must be assigned against an authorized mobilization position in the unit they support. This includes Navy Training and Administration of the Reserves (TARs), Marine Corps Active Reserve (ARs) and Coast Guard Reserve Program Administrator (RPAs). Active Duty status also applies to a Uniformed Service member who is an active duty commissioned officer of the U.S. Public Health Service or the National Oceanic and Atmospheric Administration (NOAA Commissioned Corps).

Coverage Under the SCRA is Broader in Some Cases

Coverage under the SCRA is broader in some cases and includes some categories of persons on active duty for purposes of the SCRA who would not be reported as on Active Duty under this certificate. SCRA protections are for Title 10 and Title 14 active duty records for all the Uniformed Services periods. Title 32 periods of Active Duty are not covered by SCRA, as defined in accordance with 10 USC § 101(d)(1).

Many times orders are amended to extend the period of active duty, which would extend SCRA protections. Persons seeking to rely on this website certification should check to make sure the orders on which SCRA protections are based have not been amended to extend the inclusive dates of service. Furthermore, some protections of the SCRA may extend to persons who have received orders to report for active duty or to be inducted, but who have not actually begun active duty or actually reported for induction. The Last Date on Active Duty entry is important because a number of protections of the SCRA extend beyond the last dates of active duty.

Those who could rely on this certificate are urged to seek qualified legal counsel to ensure that all rights guaranteed to Service members under the SCRA are protected

WARNING: This certificate was provided based on a last name, SSN/date of birth, and active duty status date provided by the requester. Providing erroneous information will cause an erroneous certificate to be provided.

Certificate ID: T2169A1F3039200



**Status Report
Pursuant to Servicemembers Civil Relief Act**

Last Name: MOLINA MARTINEZ

First Name: NAOMI

Middle Name: C

Active Duty Status As Of: May-24-2013

On Active Duty On Active Duty Status Date			
Active Duty Start Date	Active Duty End Date	Status	Service Component
NA	NA	No	NA
This response reflects the individuals' active duty status based on the Active Duty Status Date			

Left Active Duty Within 367 Days of Active Duty Status Date			
Active Duty Start Date	Active Duty End Date	Status	Service Component
NA	NA	No	NA
This response reflects where the individual left active duty status within 367 days preceding the Active Duty Status Date			

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Order Notification Start Date	Order Notification End Date	Status	Service Component
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Mary M. Snavely-Dixon

Mary M. Snavely-Dixon, Director
 Department of Defense - Manpower Data Center
 4800 Mark Center Drive, Suite 04E25
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Certificate ID: X2V6CA9FP039VB0